

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMPLETE NUTRITION
FRANCHISING, LLC, and R2
DISTRIBUTION, LLC,

Plaintiffs,

vs.

J. HOWELL, LLC, JAMES C. HOWELL,
and JAMES P. HOWELL,

Defendants.

8:17CV3170

ORDER

Defendant J. Howell, LLC's former counsel was granted leave to withdraw on February 20, 2018. ([Filing No. 25](#)). The order granting counsel's leave to withdraw gave Defendant J. Howell, LLC, until March 13, 2018 to obtain the services of counsel and have that attorney file an appearance on its behalf. Defendant was also warned that failure to comply with the court's order may result in an entry of default and/or default judgment against Defendant J. Howell, LLC. ([Filing No. 25](#)). The order was mailed to all Defendants, and the mailing to the address of record for Defendant J. Howell, LLC's was not returned as undeliverable.

Defendant J. Howell, LLC has failed to comply with the court's order at [Filing No. 25](#).

On April 18, 2018, a show cause order was mailed to Defendants by the clerk's office. The show cause order advised that Defendant J. Howell, LLC had until May 18, 2018 to show cause why the court should not enter a default and/or default judgment against Defendant J. Howell, LLC without further notice. ([Filing](#)

[No. 28](#)). That mailing was returned as undeliverable to J. Howell, LLC. Defendant J. Howell, LLC has thus failed to keep the court apprised of its current mailing address, and has not responded to the court's show cause order at [Filing No. 28](#).

Accordingly,

IT IS RECOMMENDED to the Honorable John M. Gerrard, United States District Judge, pursuant to 28 U.S.C. § 636(b), that a default and/or default judgment be entered against Defendant J. Howell, LLC without further notice.

The parties are notified that failing to file an objection to this recommendation as provided in the local rules of this court may be held to be a waiver of any right to appeal the court's adoption of the recommendation.

IT IS FURTHER ORDERED: The clerk shall mail a copy of this recommendation to all Defendants at their addresses of record.

Dated this 29th day of June, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge